

REMARKS

The Applicants thank the Examiner for the timely allowance of claims 11-15, 17-28 and 33-48; and the indication of allowable subject matter in claims 9 and 10. Claim 1 has been amended as reflected in the preceding claim listing. Reconsideration of the present application as amended is respectfully requested.

Claims 1-8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection explicitly stated “[t]he limitation ‘at least one of the natural gas, propane, and petroleum gas’ in[sic] vague and indefinite , there is a contradiction in the limitation.” on page 2 of the most recent Office Action. It is respectfully submitted that this feature is definite, being analogous to a Markush group listing. Further, absent additional information, it is not clear where a contradiction lies. Nonetheless, in an effort to expedite this matter, the claim has been amended in a manner that is also believed to be acceptable, and is hoped to address the perceived contradiction.

The Office Action continues by rejecting Claim 1 under 35 U.S.C. §102 as being anticipated by U. S. Patent No. 6,414,400 to Scott (Scott) or “any combustion engine.” In the explanation, claims 1-8 are generally mentioned; however, there was no explanation provided for a number of the dependent claim features. For example, claim 3 further recites compensating for transient operation of the engine, and claim 4 further refines this feature. In another example, the features of claim 6 do not appear to be disclosed.

Turning to independent claim 1, among its features is a gaseous fuel, which includes one or more of natural gas, propane, or petroleum gas. There is no explicit or inherent disclosure of

one of these types of gaseous fuels in the Scott reference. Moreover, simply “any combustion engine” also fails to disclose such features.

Among other features of claim 1 not disclosed, include adjusting a ratio between air and fuel in the mixture to regulate frequency of the AC power provided by the generator. The Office Action asserts that adjusting such a ratio is taught at Col. 5, line 44 by throttle 128. For convenience of discussion, the relevant passage of the Scott reference has been reproduced below:

For example, controller 110 generates signals to control the setting of throttle 128 (and thus engine speed) in accordance with the magnitude of signal DCOUT in the charge/boost mode and in accordance with the magnitude of signal ACOUT (at the output of inverter 108) in the load demand mode. (Col. 5, lines 42-47)

As a careful review of this passage reveals, there is no explicit or inherent disclosure of adjusting a ratio between air and fuel in the mixture as indicated in the Office Action. Indeed, it appears that Scott uses the throttle to merely regulate the mixture. A later statement in the Office Action in the same paragraph echoes this understanding. In contrast, the ratio between fuel and air in the mixture requires adjustment of air and/or fuel relative to one another—not adjustment of the mixture itself. The Office Action explanation continues stating:

a controller (100 column 5, line 32) responsive to the first signal to generate a valve control signal to regulate engine speed relative to a desired rotational engine speed; a controllable valve responsive to said valve control signal to adjust a ratio of a mixture of fuel and air provided to said engine for combustion. (See Office Action, page 3.)

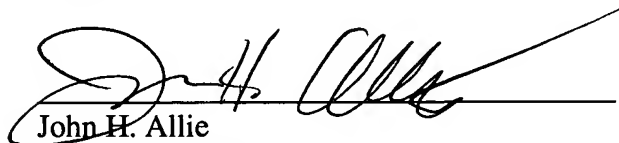
Once more, a careful review of this passage at most only reveals the throttle as a controllable valve. As previously pointed out, this very same paragraph admits the throttle is configured to regulate flow of the mixture—not to adjust the ratio of air and fuel in the mixture. As a result, it is respectfully submitted that the rejection of claim 1 should be withdrawn.

The Office Action Summary indicated that claims 9 and 10 were objected to, but failed to provide any further explanation. Clarification is respectfully requested.

Furthermore, the Office Action Summary listed claims 29-32 as rejected; however, the detailed action failed to provide any explanation regarding this rejection. Again, clarification is requested.

In view of the foregoing, it is believed that claims 1-24 and 26-48 are in condition for allowance. Reconsideration of the present application as amended is respectfully requested. The Examiner is encouraged to contact the undersigned by telephone to resolve any outstanding matters concerning the present application.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "John H. Allie", is written over a horizontal line.

John H. Allie
Reg. No. 39,088

Woodard, Emhardt, Moriarty, McNett & Henry
Bank One Center Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456